

CALTRANS
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
BID FOR

12

C-4

CONSTRUCTION ON STATE HIGHWAY IN
ORANGE COUNTY AT VARIOUS LOCATIONS FROM 0.9 MILE NORTH OF ROUTE 1 TO ROUTE
55/91 SEPARATION
In District 12 on Route 55

UNDER

Notice to Bidders and Special Provisions dated September 19, 2016
Project plans approved June 24, 2016
Standard Specifications dated 2010
Standard Plans dated 2010

Identified by

Contract No. 12-0M5004

12-Ora-55-1.2/R17.9

Project ID 1212000092

FEDERAL-AID PROJECT
ACHSNH-P055(058)E

Bids open Wednesday, November 9, 2016

Dated September 19, 2016

AADD

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
Contract No.: 12-0M5004 Project ID: 1212000092
Bidder Name: Powell Coinstructors Inc
BID TO THE DEPARTMENT OF TRANSPORTATION
DES-OE-0102.1

Bidder ID: VC0000101151

Name of Bidder Powell Coinstructors Inc
Business Street Address 8555 Banana Avenue
(Include even if P.O. Box is used)
Business P.O. Box
City, State, Zip Fontna, CA, 92335
Telephone No: AREA CODE 909-356-8880
Fax No: AREA CODE 909-356-1299
Contractor License No. 845305 A
Public Works Contractor Registration No. 1000006994
Checksum 25B5F4AE

1. Bidder agrees, if this bid is accepted, to enter into a contract with the Department, in the form included in the Standard Specifications, to perform the work provided in the Contract under the terms of the Contract for the price or prices bid.

For a lump sum or unit price based bid, Bidder additionally agrees to perform the work within the number of working days shown on the Notice to Bidders.

For a cost plus time based bid on a contract without a plant establishment period, Bidder additionally agrees to perform the work within the number of working days bid.

For a cost plus time based bid on a contract with a plant establishment period, Bidder additionally agrees to perform the nonplant establishment work within the number of working days bid for nonplant establishment work.

2. Bidder has and acknowledges the following addenda:3
11-10-16 Revise Bid Book, Project Plans,
3. Bidder submits this bid with one of the following forms of bidder's security equal to at least 10 percent of the bid: Bidder's Bond
4. Bidder's signature is an affirmation of the included certifications. Bidder is cautioned that making a false certification may result in one or more of the following:
 - 4.1 Criminal prosecution
 - 4.2 Rejection of the bid
 - 4.3 Rescission of the award
 - 4.4 Termination of the Contract

PRINTED NAME: MICHAEL B. POWELL AND
TITLE OF PERSON SIGNING: PRESIDENT

BY (Authorized signature)

DATE SIGNED(Do not type)

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-0M5004 Project ID: 1212000092

Bidder Name: Powell Coinstructors Inc

Bidder ID: VC0000101151

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
1	070030	LEAD COMPLIANCE PLAN	LUMP SUM LS	LUMP SUM	3,000.00
2	080050	PROGRESS SCHEDULE (CRITICAL PATH METHOD)	LUMP SUM LS	LUMP SUM	4,000.00
3	120090	CONSTRUCTION AREA SIGNS	LUMP SUM LS	LUMP SUM	130,000.00
4	120100	TRAFFIC CONTROL SYSTEM	LUMP SUM LS	LUMP SUM	850,000.00
5	120165	CHANNELIZER (SURFACE MOUNTED)	1,060.0 EA	20.00	21,200.00
6	120200	FLASHING BEACON (PORTABLE)	110.0 EA	100.00	11,000.00
7	128652	PORTABLE CHANGEABLE MESSAGE SIGN (LS)	LUMP SUM LS	LUMP SUM	50,000.00
8	129000	TEMPORARY RAILING (TYPE K)	58,300.0 LF	11.00	641,300.00
9	032144	ALTERNATIVE TEMPORARY CRASH CUSHION	LUMP SUM LS	LUMP SUM	200,000.00
10	129150	TEMPORARY TRAFFIC SCREEN	58,300.0 LF	1.00	58,300.00
11	130100	JOB SITE MANAGEMENT	LUMP SUM LS	LUMP SUM	40,000.00
12	130300	PREPARE STORM WATER POLLUTION PREVENTION PLAN	LUMP SUM LS	LUMP SUM	2,000.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
13	130330	STORM WATER ANNUAL REPORT	2.0 EA	2,000.00	4,000.00
14	130530	TEMPORARY HYDRAULIC MULCH (BONDED FIBER MATRIX)	18,700.0 SQYD	0.80	14,960.00
15	130620	TEMPORARY DRAINAGE INLET PROTECTION	130.0 EA	270.00	35,100.00
16	130640	TEMPORARY FIBER ROLL	14,500.0 LF	2.00	29,000.00
17	130730	STREET SWEEPING	LUMP SUM LS	LUMP SUM	12,000.00
18	130900	TEMPORARY CONCRETE WASHOUT	LUMP SUM LS	LUMP SUM	40,000.00
19	141120	TREATED WOOD WASTE	428,000.0 LB	0.16	68,480.00
20	150605	REMOVE FENCE	45.0 LF	10.00	450.00
21	150661	REMOVE GUARDRAIL	30,300.0 LF	8.00	242,400.00
22	150685	REMOVE IRRIGATION FACILITY	LUMP SUM LS	LUMP SUM	3,000.00
23	150742	REMOVE ROADSIDE SIGN	110.0 EA	60.00	6,600.00
24	150748	REMOVE ROADSIDE SIGN PANEL	13.0 EA	400.00	5,200.00

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Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
25	150771	REMOVE ASPHALT CONCRETE DIKE	7,080.0 LF	12.00	84,960.00
26	150812	REMOVE PIPE (LF)	260.0 LF	50.00	13,000.00
27	150820	REMOVE INLET	4.0 EA	800.00	3,200.00
28	150821	REMOVE HEADWALL	3.0 EA	800.00	2,400.00
29	150838	REMOVE RETAINING WALL (PORTION) (LF)	5.0 LF	400.00	2,000.00
30	150839	REMOVE RETAINING WALL (PORTION) (LS)	LUMP SUM LS	LUMP SUM	16,000.00
31	151540	RECONSTRUCT CHAIN LINK FENCE	65.0 LF	50.00	3,250.00
32	153120	REMOVE CONCRETE (LF)	2,980.0 LF	15.00	44,700.00
33	153130	REMOVE CONCRETE CURB (LF)	710.0 LF	15.00	10,650.00
34	153220	REMOVE CONCRETE (CHANNEL)	10.0 CY	350.00	3,500.00
35	153221	REMOVE CONCRETE BARRIER	595.0 LF	30.00	17,850.00
36	156590	REMOVE CRASH CUSHION (SAND FILLED)	56.0 EA	50.00	2,800.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
37	159010	RECONSTRUCT METAL RAILING (BRIDGE)	80.0 LF	150.00	12,000.00
38	190101	ROADWAY EXCAVATION	12,800.0 CY	35.00	448,000.00
39	190107	ROADWAY EXCAVATION (TYPE Y-1) (AERIALY DEPOSITED LEAD)	110.0 CY	250.00	27,500.00
40 (F)	192001	STRUCTURE EXCAVATION	5.0 CY	150.00	750.00
41 (F)	192037	STRUCTURE EXCAVATION (RETAINING WALL)	167.0 CY	200.00	33,400.00
42 (F)	193001	STRUCTURE BACKFILL	3.0 CY	150.00	450.00
43 (F)	193013	STRUCTURE BACKFILL (RETAINING WALL)	34.0 CY	300.00	10,200.00
44	198010	IMPORTED BORROW (CY)	8,810.0 CY	5.00	44,050.00
45	200002	ROADSIDE CLEARING	LUMP SUM LS	LUMP SUM	80,000.00
46	202006	SOIL AMENDMENT	2.0 CY	80.00	160.00
47	204006	PLANT (GROUP F)	92,300.0 EA	0.55	50,765.00

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Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
48	204035	PLANT (GROUP A)	84.0 EA	12.00	1,008.00
49	204096	MAINTAIN EXISTING PLANTED AREAS	LUMP SUM LS	LUMP SUM	35,000.00
50	205035	WOOD MULCH	2,100.0 CY	37.50	78,750.00
51	206400	CHECK AND TEST EXISTING IRRIGATION FACILITIES	LUMP SUM LS	LUMP SUM	7,500.00
52	206402	OPERATE EXISTING IRRIGATION FACILITIES	LUMP SUM LS	LUMP SUM	16,500.00
53	206560	CONTROL AND NEUTRAL CONDUCTORS	LUMP SUM LS	LUMP SUM	3,500.00
54	206562	1" REMOTE CONTROL VALVE	1.0 EA	390.00	390.00
55	206564	1 1/2" REMOTE CONTROL VALVE	9.0 EA	430.00	3,870.00
56	206565	2" REMOTE CONTROL VALVE	6.0 EA	450.00	2,700.00
57	208446	RISER SPRINKLER ASSEMBLY (GEAR DRIVEN)	300.0 EA	45.00	13,500.00
58	208448	RISER SPRINKLER ASSEMBLY	100.0 EA	25.00	2,500.00
59	208450	DRIP VALVE ASSEMBLY	2.0 EA	430.00	860.00

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60(F)	208595 (SCHEDULE 40) (LINE)	1" PLASTIC PIPE (SUPPLY	7,120.0 LF	4.00	28,480.00
61(F)	208597 (SCHEDULE 40) (SUPPLY LINE)	1 1/2" PLASTIC PIPE (SUPPLY	7,250.0 LF	4.50	32,625.00
62(F)	208601 (SCHEDULE 40) (LINE)	4" PLASTIC PIPE (SUPPLY	400.0 LF	8.60	3,440.00
63(F)	208605 (CLASS 315) (LINE)	2" PLASTIC PIPE (SUPPLY	3,690.0 LF	7.30	26,937.00
64(F)	208607 (CLASS 315) (LINE)	3" PLASTIC PIPE (SUPPLY	750.0 LF	7.60	5,700.00
65	208683	BALL VALVE	5.0 EA	315.00	1,575.00
66	390132 (TYPE A)	HOT MIX ASPHALT	4,530.0 TON	120.00	543,600.00
67	394074 ASPHALT DIKE (TYPE C)	PLACE HOT MIX	2,660.0 LF	5.50	14,630.00
68	394075 ASPHALT DIKE (TYPE D)	PLACE HOT MIX	590.0 LF	5.50	3,245.00
69	394076 ASPHALT DIKE (TYPE E)	PLACE HOT MIX	270.0 LF	5.50	1,485.00
70	394077 ASPHALT DIKE (TYPE F)	PLACE HOT MIX	4,120.0 LF	5.50	22,660.00
71(F)	510060 CONCRETE, RETAINING WALL	STRUCTURAL	301.0 CY	500.00	150,500.00

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Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
72(F)	510072	STRUCTURAL CONCRETE, BARRIER SLAB	90.0 CY	600.00	54,000.00
73(F)	510092	STRUCTURAL CONCRETE, HEADWALL	1.5 CY	1,200.00	1,800.00
74(F)	510094	STRUCTURAL CONCRETE, DRAINAGE INLET	13.5 CY	2,200.00	29,700.00
75(F)	520103	BAR REINFORCING STEEL (RETAINING WALL)	27,523.0 LB	1.00	27,523.00
76	560244	FURNISH LAMINATED PANEL SIGN (1"-TYPE A)	420.0 SQFT	19.00	7,980.00
77	560248	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-UNFRAMED)	420.0 SQFT	9.00	3,780.00
78	560251	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063"-FRAMED)	140.0 SQFT	11.00	1,540.00
79	566011	ROADSIDE SIGN - ONE POST	57.0 EA	320.00	18,240.00
80	566012	ROADSIDE SIGN - TWO POST	19.0 EA	850.00	16,150.00
81	568001	INSTALL SIGN (STRAP AND SADDLE BRACKET METHOD)	11.0 EA	200.00	2,200.00
82	568016	INSTALL SIGN PANEL ON EXISTING FRAME	1,700.0 SQFT	12.00	20,400.00
83	568017	INSTALL ROADSIDE SIGN PANEL ON EXISTING POST	14.0 EA	250.00	3,500.00

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Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
84	032145	INSTALL SIGN (QUICK POST CHANGE METHOD)	3.0 EA	1,600.00	4,800.00
85	032146	FURNISH FORMED PANEL SIGN (OVERHEAD) FOR RETROREFLECTIVE SHEETING TYPE XI	650.0 SQFT	9.00	5,850.00
86	032147	FURNISH LAMINATED PANEL SIGN (1"-TYPE A) FOR RETROREFLECTIVE SHEETING TYPE XI	620.0 SQFT	17.00	10,540.00
87	032148	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063" - UNFRAMED) FOR RETROREFLECTIVE SHEETING TYPE XI	120.0 SQFT	6.50	780.00
88	032149	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080" - UNFRAMED) FOR RETROREFLECTIVE SHEETING TYPE XI	490.0 SQFT	7.00	3,430.00
89	032150	FURNISH SINGLE SHEET ALUMINUM SIGN (0.063" - FRAMED) FOR RETROREFLECTIVE SHEETING TYPE XI	90.0 SQFT	8.50	765.00
90	032151	FURNISH SINGLE SHEET ALUMINUM SIGN (0.080" - FRAMED) FOR RETROREFLECTIVE SHEETING TYPE XI	230.0 SQFT	10.00	2,300.00
91	032152	RETROREFLECTIVE SHEETING (TYPE XI)	2,180.0 SQFT	4.50	9,810.00
92	650014	18" REINFORCED CONCRETE PIPE	39.0 LF	140.00	5,460.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
93	650018	24" REINFORCED CONCRETE PIPE	160.0 LF	120.00	19,200.00
94	650022	30" REINFORCED CONCRETE PIPE	110.0 LF	140.00	15,400.00
95	665112	12" BITUMINOUS COATED CORRUGATED STEEL PIPE (.079" THICK)	40.0 LF	50.00	2,000.00
96	665123	24" BITUMINOUS COATED CORRUGATED STEEL PIPE (.079" THICK)	20.0 LF	160.00	3,200.00
97	705065	24" BITUMINOUS COATED STEEL FLARED END SECTION	1.0 EA	350.00	350.00
98	730045	MINOR CONCRETE (GUTTER) (CY)	25.0 CY	900.00	22,500.00
99	750001	MISCELLANEOUS IRON AND STEEL	2,940.0 LB	1.50	4,410.00
100	820107	DELINEATOR (CLASS 1)	360.0 EA	40.00	14,400.00
101	820143	OBJECT MARKER (TYPE K-2)	120.0 EA	15.00	1,800.00
102	832007	MIDWEST GUARDRAIL SYSTEM (WOOD POST)	7,820.0 LF	30.00	234,600.00
103	832015	MIDWEST GUARDRAIL SYSTEM (7' WOOD POST)	6,740.0 LF	31.50	212,310.00
104	832070	VEGETATION CONTROL (MINOR CONCRETE)	12,800.0 SQYD	70.00	896,000.00

BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
105	839221	DOUBLE MIDWEST GUARDRAIL SYSTEM (WOOD POST)	50.0 LF	61.00	3,050.00
106(F)	839521	CABLE RAILING	171.0 LF	28.00	4,788.00
107	839543	TRANSITION RAILING (TYPE WB-31)	66.0 EA	3,450.00	227,700.00
108	839576	END CAP (TYPE A)	5.0 EA	265.00	1,325.00
109	839581	END ANCHOR ASSEMBLY (TYPE SFT)	34.0 EA	700.00	23,800.00
110	839584	ALTERNATIVE IN-LINE TERMINAL SYSTEM	24.0 EA	3,350.00	80,400.00
111	839585	ALTERNATIVE FLARED TERMINAL SYSTEM	54.0 EA	2,375.00	128,250.00
112	839591	CRASH CUSHION, SAND FILLED	14.0 EA	300.00	4,200.00
113	032153	ALTERNATIVE CRASH CUSHION	10.0 EA	30,000.00	300,000.00
114	045520	CONCRETE BARRIER (GORE BLOCK)	62.0 LF	450.00	27,900.00
115	839700	CONCRETE BARRIER (TYPE 60F)	852.0 LF	285.00	242,820.00
116	839701	CONCRETE BARRIER (TYPE 60)	10,200.0 LF	90.00	918,000.00

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BID ITEM LIST

Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
117	839703 (TYPE 60C)	CONCRETE BARRIER	199.0 LF	200.00	39,800.00
118	839704 (TYPE 60D)	CONCRETE BARRIER	9,090.0 LF	55.00	499,950.00
119	045521 (TYPE 60C MODIFIED)	CONCRETE BARRIER	147.0 LF	280.00	41,160.00
120	BLANK		LUMP SUM LS	LUMP SUM	0.00
121	045523 (TYPE 60SD MODIFIED)	CONCRETE BARRIER	84.0 LF	700.00	58,800.00
122(F)	839725 (TYPE 736)	CONCRETE BARRIER	176.0 LF	220.00	38,720.00
123	839745 TRANSITION	CONCRETE BARRIER	1,643.0 LF	480.00	788,640.00
124	840516 PAVEMENT MARKING (ENHANCED WET NIGHT VISIBILITY)	THERMOPLASTIC	1,570.0 SQFT	5.00	7,850.00
125	860090 EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONSTRUCTION	MAINTAINING	LUMP SUM LS LS LS	LUMP SUM	2,000.00
126	872130 EXISTING ELECTRICAL SYSTEM	MODIFYING	LUMP SUM LS	LUMP SUM	250,000.00
127	BLANK		LUMP SUM LS	LUMP SUM	0.00

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Item No.	Item Code	Item Description	Estimated Quantity Unit of Measure	Unit Price	Item Total
128	190100	TIME RELATED OVERHEAD (WDAY)	325.0 WDAY	2,000.00	650,000.00
129	511106	DRILL AND BOND DOWEL	46.0 LF	35.00	1,610.00
130	045644	CONCRETE BARRIER (TYPE 60F MODIFIED)	49.0 LF	330.00	16,170.00
131	999990	MOBILIZATION	LUMP SUM LS	LUMP SUM	1,080,000.00
Total Bid					\$11,478,181.00

Bidding Firm: Powell Coinstructors Inc

List this sub? Yes

1) Business Name PACIFIC RESTORATION GROUP
Location City CORONA State CA
California Contractor License Number 685511
Public Works Contractor Registration Number 1000009733
Portion of Work Subcontracted:

Item	%	Description
14	80	TEMPORARY HYDRAULIC MULCH (BONDED FIBER MATRIX)
46-49	100	
50	98	WOOD MULCH
51	100	CHECK AND TEST EXISTING IRRIGATION FACILITIES
52	98	OPERATE EXISTING IRRIGATION FACILITIES

List this sub? Yes

2) Business Name PACIFIC RESTORATION GROUP
Location City CORONA State CA
California Contractor License Number 685511
Public Works Contractor Registration Number 1000009733
Portion of Work Subcontracted:

Item	%	Description
53	100	CONTROL AND NEUTRAL CONDUCTORS
54	98	1" REMOTE CONTROL VALVE
55	98	1 1/2" REMOTE CONTROL VALVE
56-58	100	
59	98	DRIP VALVE ASSEMBLY

List this sub? Yes

3) Business Name PACIFIC RESTORATION GROUP
Location City CORONA State CA
California Contractor License Number 685511
Public Works Contractor Registration Number 1000009733
Portion of Work Subcontracted:

Item	%	Description
60-61	100	
62	98	4" PLASTIC PIPE (SCHEDULE 40) (SUPPLY LINE)
63	99	2" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)
64	98	3" PLASTIC PIPE (CLASS 315) (SUPPLY LINE)
65	100	BALL VALVE

Bidding Firm: Powell Coinstructors Inc

List this sub? Yes

4) Business Name POWER UP ENTERPRISES
Location City UPLAND State CA
California Contractor License Number 982839
Public Works Contractor Registration Number 1000012992
Portion of Work Subcontracted:

Item	%	Description
125	100	MAINTAINING EXISTING TRAFFIC MANAGEMENT SYSTEM ELEMENTS DURING CONS
126	100	MODIFYING EXISTING ELECTRICAL SYSTEM

List this sub? Yes

5) Business Name ACE FENCE COMPANY
Location City LA PUENTE State CA
California Contractor License Number 996577
Public Works Contractor Registration Number 1000004092
Portion of Work Subcontracted:

Item	%	Description
19	98	TREATED WOOD WASTE
21	94	REMOVE GUARDRAIL
31	100	
102	99	MIDWEST GUARDRAIL SYSTEM (WOOD POST)
103	100	

List this sub? Yes

6) Business Name ACE FENCE COMPANY
Location City LA PUENTE State CA
California Contractor License Number 996577
Public Works Contractor Registration Number 1000004092
Portion of Work Subcontracted:

Item	%	Description
105	100	
108	100	
109-111	100	

Bidding Firm: Powell Coinstructors Inc

List this sub? Yes

7) Business Name ROUGH REBAR
Location City LAKEWOOD State CA
California Contractor License Number 954751
Public Works Contractor Registration Number 1000005520
Portion of Work Subcontracted:

Item	%	Description
72	25	STRUCTURAL CONCRETE, BARRIER SLAB
75	89	BAR REINFORCING STEEL (RETAINING WALL)
114	11	CONCRETE BARRIER (GORE BLOCK)
115	6	CONCRETE BARRIER (TYPE 60F)
117	11	CONCRETE BARRIER (TYPE 60C)

List this sub? Yes

8) Business Name ROUGH REBAR
Location City LAKEWOOD State CA
California Contractor License Number 954751
Public Works Contractor Registration Number 1000005520
Portion of Work Subcontracted:

Item	%	Description
118	10	CONCRETE BARRIER (TYPE 60D)
119	13	CONCRETE BARRIER (TYPE 60C MODIFIED)
121	8	CONCRETE BARRIER (TYPE 60SD MODIFIED)
122	3	CONCRETE BARRIER (TYPE 736)
130	10	CONCRETE BARRIER (TYPE 60F MODIFIED)

List this sub? Yes

9) Business Name ROUGH REBAR
Location City LAKEWOOD State CA
California Contractor License Number 954751
Public Works Contractor Registration Number 1000005520
Portion of Work Subcontracted:

Item	%	Description
116	8	CONCRETE BARRIER (TYPE 60)

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DES-OE-0102.2C (REV 03/2015)

Bidding Firm: Powell Coinstructors Inc

List this sub? Yes

10) Business Name ACL CONSTRUCTION COMPANY
Location City CHINO HILLS State CA
California Contractor License Number 468840
Public Works Contractor Registration Number 1000008098
Portion of Work Subcontracted:

Item	%	Description
116	45	CONCRETE BARRIER (TYPE 60)
118	56	CONCRETE BARRIER (TYPE 60D)

List this sub? Yes

11) Business Name G&F CONCRETE CUTTING
Location City SANTA ANA State CA
California Contractor License Number 590310
Public Works Contractor Registration Number 1000001776
Portion of Work Subcontracted:

Item	%	Description
32	100	REMOVE CONCRETE (LF)
104	2	VEGETATION CONTROL (MINOR CONCRETE)

To opt out of payment adjustments for price index fluctuations as specified,
complete this form.

I opt out of the payment adjustments for price index fluctuations.

Enter Date and Name to opt out of payment adjustments for price index
fluctuations.

Date: Bidder's Name:

Signature: _____

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SMALL BUSINESS STATUS

DES-OE-0102.4 (REV 3/2008)

Are you certified as a "Small Business" by the Office of Small Business and DVBE Services of the Department of General Services of the State of California?:

YES/NO: No Certification number? :

Note: This small business questionnaire is included for statistical reporting only.

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Bidder ID: VC0000101151

CERTIFICATIONS

FEDERAL-AID PROJECTS DISCLOSURE OF LOBBYING ACTIVITIES CERTIFICATION

Bidder certifies, to the best of his or her knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in conformance with its instructions.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 USC 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Bidder also agrees by submitting a bid that it must require the language of this certification be included in subcontracts over \$100,000 and these subcontractors shall certify and disclose.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

Contract No.: 12-0M5004 Project ID: 1212000092

Bidder Name: Powell Coinstructors Inc

Bidder ID: VC0000101151

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence, the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last, previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State, and zip code of the reporting entity. Include Congressional District if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number, the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitments for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB Control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
No

1. Type of Federal Action:
2. Status of Federal Action:
3. Report Type:

For Material Change Only:
Year
Quarter
Date of last report

4. Name and Address of Reporting Entity:

Tier ,if known

Congressional District, if known:

5. If Reporting Entity in No. 4 is Subawardee Enter Name and Address of Prime:

Congressional District, if known:

6. Federal Department/Agency:

7. Federal Program Name/Description:

CFDA Number, if applicable

8. Federal Action Number, if known:

9. Award amount, if known (\$):

10. a. Name and Address of Lobby Registrant (if individual, last name, first name, MI):

- b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):

11. Information requested through this form is authorized by Title 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature: _____

Print Name:

Title:

Telephone No.:

DATE:

Authorized for Local Reproduction
Standard Form - LLL(Rev. 7-97)

Federal Use Only:

EQUAL EMPLOYMENT OPPORTUNITY REGULATION CERTIFICATION

Bidder POWELL CONSTRUCTORS INC, proposed subcontractor , certifies that he has participated in a previous contract or subcontract subject to the equal opportunity clauses, as required by Executive Orders 10925, 11114, or 11246, and that, if required, he has filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the filing requirements.

Notes:

The above certification is required by the Equal Employment Opportunity Regulations of the Secretary of Labor (41 CFR 60-1.7(b) (1)), and must be submitted by bidders and proposed subcontractors only in connection with contracts and subcontracts which are subject to the equal opportunity clause. Contracts and subcontracts which are exempt from the equal opportunity clause are set forth in 41 CFR 60-1.5. (Generally only contracts or subcontracts of \$10,000 or under are exempt.)

Currently, Standard Form 100 (EEO-1) is the only report required by the Executive Orders or their implementing regulations.

Prime contractors and subcontractors who have participated in a previous contract or subcontract subject to the Executive Orders and have not filed the required reports should note 41 CFR 60-1.7(b)(1) prevents the award of contracts and subcontracts unless the Contractor submits a report covering the delinquent period or such other period specified by the Federal Highway Administration or by the Director, Office of Federal Contract Compliance, U.S. Department of Labor.

TITLE 49, CODE OF FEDERAL REGULATIONS, PART 29, DEBARMENT AND
SUSPENSION CERTIFICATION

Bidder, under penalty of perjury, certifies that, except as noted below, it or any other person associated therewith in the capacity of owner, partner, director, officer, manager:

is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;

has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past 3 years;

does not have a proposed debarment pending; and

has not been indicted, convicted, or had a civil judgement rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past 3 years.

If there are any exceptions to this certification, insert the exceptions in the following space.

Exceptions will not necessarily result in denial of award, but will be considered in determining bidder responsibility. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

UNDOCUMENTED ALIENS EMPLOYMENT

Under Pub Cont Code ♦ 6101, the Bidder certifies compliance with state and federal law respecting the employment of undocumented aliens.

NONCOLLUSION

NONCOLLUSION AFFIDAVIT TO BE EXECUTED BY BIDDER AND SUBMITTED WITH BID
Under PCC 7106 and 23 USC 112, the bidder declares as follows:

State of CA County of SAN BERNARDINO

Name MICHAEL B. POWELL,

being first duly sworn, deposes and says that he or she is

PRESIDENT of

POWELL CONSTRUCTORS INC

the party making the foregoing bid that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that the bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true; and, further, that the bidder has not, directly or indirectly, submitted his or her bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.

CHILD SUPPORT COMPLIANCE ACT

Under Pub Cont Code ♦ 7110, the contractor acknowledges that:

1. The contractor recognizes the importance of child and family support obligations and shall fully comply with all applicable state and federal laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with section 5200) of Part 5 of Division 9 of the Family Code; and
2. The contractor to the best of its knowledge is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Hire Registry maintained by the Employment Development Department.

NATIONAL LABOR RELATIONS BOARD

Under Pub Cont Code ♦ 10232, the contractor, swears under penalty of perjury, that no more than one final unappealable finding of contempt of court by a federal court has been issued against the contractor within the immediately preceding two year period because of the contractor's failure to comply with an order of a federal court which orders the contractor to comply with an order of the National Labor Relations Board.

VIOLATION OF LAW OR A SAFETY REGULATION

Under Pub Cont Code ♦ 10162, the Bidder must complete, under penalty of perjury, the following questionnaire:

Has the Bidder, any officer of the Bidder, or any employee of the Bidder who has a proprietary interest in the Bidder, ever been disqualified, removed, or otherwise prevented from bidding on, or completing a federal, state, or local government project because of a violation of law or a safety regulation? No

If the answer is yes, explain the circumstances in the following space.

ANTITRUST LAW

Under Pub Con Code ♦ 10285.1, the Bidder declares under penalty of perjury under the laws of the State of California that the Bidder Has Not been convicted within the preceding three years of any offenses referred to in that section, including any charge of fraud, bribery, collusion, conspiracy, or any other act in violation of any state or federal antitrust law in connection with the bidding upon, award of, or performance of, any public works contract, as defined in Pub Cont Code ♦ 1101, with any public entity, as defined in Pub Cont Code ♦ 1100, including the Regents of the University of California or the Trustees of the California State University. The term "Bidder" includes any partner, member, officer, director, responsible managing officer, or responsible managing employee thereof, as referred to in Section 10285.1.

If the Bidder has been convicted of an offense within the past 3 years, provide the conviction details including the date and ultimate resolution of each conviction in the space below.

PERMITS, LICENSES, AGREEMENTS, CERTIFICATIONS, AND RAILROAD
RELATIONS AND INSURANCE REQUIREMENTS

Bidder acknowledges that permits, licenses, agreements, certifications, and the requirements in the document titled "Railroad Relations and Insurance Requirements" are components of the Contract under section 5-1.02 of the Standard Specifications.

BIDDER RESPONSIBILITY QUESTIONNAIRE

Failure to truthfully answer the following questions will result in a finding that the bid is nonresponsive. The Bidder must complete, under penalty of perjury, the following questionnaire:

1. Within the past 10 years, has the Bidder been found to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?

No

2. Within the past 10 years, have any of the Bidder's officers or employees with a proprietary interest in the Bidder been determined to be a nonresponsive bidder by a public entity, including federal, State, local or regional entities?

No

3. Is there any officer or employee of the Bidder who now has or has had any proprietary interest in another company that bid or bids on public works projects whose company has been determined to be a nonresponsive bidder by any public entity, including federal, State, local, or regional entities?

No

4. If the answer to any of the 3 preceding questions is yes, disclose all pertinent details of the determination of nonresponsibility, including:

4.1. Date of each nonresponsibility determination

4.2. Name of each public agency issuing the nonresponsibility determination and a contact person at that agency who would have information about the determination

4.3. Contract number for each nonresponsibility determination

END CERTIFICATIONS

Bond No. _____

We _____

_____ as Principal, and

_____ as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for
CONSTRUCTION ON STATE HIGHWAY IN
ORANGE COUNTY AT VARIOUS LOCATIONS FROM 0.9 MILE NORTH OF ROUTE 1 TO ROUTE
55/91 SEPARATION
In District 12 on Route 55
for which bids are to be opened at 1727 30th Street, Sacramento CA 95816 on
11-16-16.

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgement is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: _____, 20____.

Principal: _____

Surety: _____

Address of Surety: _____

(for correspondence or claims)

By _____

Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of _____

On this _____ before me, _____

Date

Here insert Name and Title of the Officer

personally appeared _____

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

SIGNATURE _____

Signature of Notary Public

(SEAL)



CONSTRUCTORS INC.

POWELL CONSTRUCTORS, INC.
GENERAL ENGINEERING CONTRACTOR

8555 BANANA AVENUE ~ FONTANA, CA 92335
PHONE (909) 356-8880 ~ FAX (909) 356-1299
LICENSE #845305A

LETTER OF TRANSMITTAL

To: State of California
Department of Transportation
MS-43
1727 30th Street
Sacramento, Ca. 95816-7005
Attn: Office Engineer

No: _____

Date: 11/14/16	Job #:
Job Name: Upgrade Safety Devices	
Job Location: Rte 55 in Orange County	
Re: Contract No. 12-0M5004	

Gentlemen,

We are sending you the following items:

COPIES	DATED	NO.	DESCRIPTION
1			Executed Bid Bond for the above mentioned contract

These are transmitted: ☒ [X] For Approval ☐ [] For Your Use ☐ [] As Requested
 ☐ [] For Review & Comment ☐ [] For Payment

Remarks: _____

Copy To: _____

Signed: Sherri Evans

BIDDER'S BOND

DES-OE-0102.3 (REV 3/2008)

11-15-11 CAL 11-56-60VD

Contract No. 12-0M5004

Bond No. N/A - Bid Bond

We Powell Constructors, Inc.

as Principal, and

Fidelity and Deposit Company of Maryland

as Surety are bound unto the State of California, Department of Transportation, hereafter referred to as "Obligee", in the penal sum of ten percent (10%) of the total amount of the bid of the Principal submitted to the Obligee for the work described below, for the payment of which sum we bind ourselves, jointly and severally,

THE CONDITION OF THIS OBLIGATION IS SUCH, THAT:

WHEREAS, the Principal is submitting a bid to the Obligee, for Construction on State Highway in Orange County at Various
(Copy here the exact description of work, including location, as it appears on the proposal)
Locations from 0.9 Mile North of Route 1 to Route 55/91 Separation. (12-0ra-55-1.2/R17.9)
 for which bids are to be opened at Sacramento, CA
(Insert place where bids will be opened)
 on November 16, 2016
(Insert date of bid opening)

NOW, THEREFORE, if the Principal is awarded the contract and, within the time and manner required under the specifications, after the prescribed forms are presented to him for signature, enters into a written contract, in the prescribed form, in accordance with the bid, and files two bonds with the Obligee, one to guarantee faithful performance (if specified in the contract) of the contract and the other to guarantee payment for labor and materials as provided by law, then this obligation shall be null and void; otherwise, it shall remain in full force.

In the event a suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court.

Dated: November 10, 20 16

Correspondence or claims relating to this bond should be sent to the surety at the following address:

Fidelity and Deposit Company of Maryland777 S. Figueroa Street, Suite 3900Los Angeles, CA 90017Powell Constructors, Inc.Michael B. Powell, President *Principal*Fidelity and Deposit Company of Maryland*Surety*By Adriana Valenzuela*Attorney-in-Fact***CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of On this before me, *Date**Here Insert Name and Title of the Officer*personally appeared *Name(s) of Signer(s)*

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(SEAL)

Signature *Signature of Notary Public***ADA Notice**

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND
POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the ZURICH AMERICAN INSURANCE COMPANY, a corporation of the State of New York, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, a corporation of the State of Maryland, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND a corporation of the State of Maryland (herein collectively called the "Companies"), by **GERALD F. HALEY, Vice President**, in pursuance of authority granted by Article V, Section 8, of the By-Laws of said Companies, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, do hereby nominate, constitute, and appoint **Lourdes LANDA, Mark ROSSKOPF, Adriana VALENZUELA and Lisa SAUMUR, all of Anaheim, California, EACH** its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Companies, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the ZURICH AMERICAN INSURANCE COMPANY at its office in New York, New York., the regularly elected officers of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at its office in Owings Mills, Maryland., and the regularly elected officers of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at its office in Owings Mills, Maryland., in their own proper persons.

The said Vice President does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article V, Section 8, of the By-Laws of said Companies, and is now in force.

IN WITNESS WHEREOF, the said Vice-President has hereunto subscribed his/her names and affixed the Corporate Seals of the said **ZURICH AMERICAN INSURANCE COMPANY, COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND**, this 19th day of February, A.D. 2016.

ATTEST:

**ZURICH AMERICAN INSURANCE COMPANY
COLONIAL AMERICAN CASUALTY AND SURETY COMPANY
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**



By: _____

Eric D. Barnes

*Secretary
Eric D. Barnes*

**State of Maryland
County of Baltimore**

Gerald F. Haley

*Vice President
Gerald F. Haley*

On this 19th day of February, A.D. 2016, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, **GERALD F. HALEY, Vice President, and ERIC D. BARNES, Secretary**, of the Companies, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and acknowledged the execution of same, and being by me duly sworn, depose and saith, that he/she is the said officer of the Company aforesaid, and that the seals affixed to the preceding instrument are the Corporate Seals of said Companies, and that the said Corporate Seals and the signature as such officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporations.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.

Constance A. Dunn

**Constance A. Dunn, Notary Public
My Commission Expires: July 9, 2019**



EXTRACT FROM BY-LAWS OF THE COMPANIES

"Article V, Section 8, Attorneys-in-Fact. The Chief Executive Officer, the President, or any Executive Vice President or Vice President may, by written instrument under the attested corporate seal, appoint attorneys-in-fact with authority to execute bonds, policies, recognizances, stipulations, undertakings, or other like instruments on behalf of the Company, and may authorize any officer or any such attorney-in-fact to affix the corporate seal thereto; and may with or without cause modify or revoke any such appointment or authority at any time."

CERTIFICATE

I, the undersigned, Vice President of the ZURICH AMERICAN INSURANCE COMPANY, the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that Article V, Section 8, of the By-Laws of the Companies is still in force.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY at a meeting duly called and held on the 15th day of December 1998.

RESOLVED: "That the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the Seal of the Company may be affixed by facsimile on any Power of Attorney...Any such Power or any certificate thereof bearing such facsimile signature and seal shall be valid and binding on the Company."

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the COLONIAL AMERICAN CASUALTY AND SURETY COMPANY at a meeting duly called and held on the 5th day of May, 1994, and the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seals of the said Companies, this 10th day of November, 2016.



Thomas O. McClellan

Thomas O. McClellan, Vice President

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

S.S.

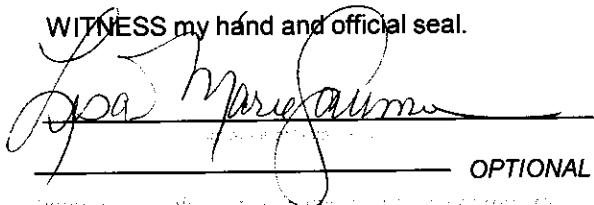
On 11/10/2016 before me, Lisa Marie Saumur, Notary Public

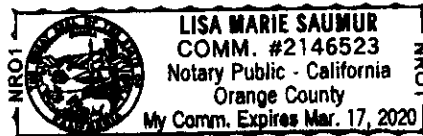
personally appeared Adriana Valenzuela

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.





OPTIONAL INFORMATION

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
☐ Attorney-in-fact
☐ Corporate Officer(s) _____

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing: _____

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- ☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

- ☐ Additional Signer ☐ Signer(s) Thumbprints(s)
☐ _____

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

} s.s.

On November 14, 2016 before me, Sherri Evans, Notary Public

Name of Notary Public, Title

personally appeared Michael B. Powell

Name of Signer (1)

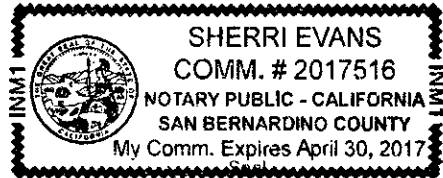
Name of Signer (2)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Sherri Evans
Signature of Notary Public



OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____.

The signer(s) capacity or authority is/are as:

- ☐ Individual(s)
☐ Attorney-in-fact
☐ Corporate Officer(s)

Title(s)

- ☐ Guardian/Conservator
☐ Partner - Limited/General
☐ Trustee(s)
☐ Other: _____

representing: _____
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- ☐ form(s) of identification ☐ credible witness(es)

Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

- ☐ Additional Signer ☐ Signer(s) Thumbprints(s)

☐ _____